

REMARKS

Claim Rejections

Claims 1-2, 8-9, and 18-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa (US Pub. 2004/0153053) in view of Kieturakis (US 5,662,673). Claims 3-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa in view of Kieturakis and further in view of Hart et al. (US 6,162,196). Claims 10-11 and 14-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa in view of Kieturakis and further in view of Hueil (US Pub. 2005/0077689). Claims 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa in view of Kieturakis and further in view of Gresl et al. (US 5,397,335). Claims 15-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa in view of Kieturakis and further in view of Haberland et al. (US 7,153,319). Claims 3-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa in view of Kieturakis and further in view of Stuart (6,702,805).

Drawings

It is noted that the Examiner has accepted the drawings as originally filed with this application.

Claim Amendments

By this Amendment, Applicant has canceled claims 2-4, 7, 19-21, 37, and 39-41 and amended claims 1, 5-6, 18, 22, 23, 36, 38, and 42 of this application. It is believed that the amended claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The purpose of the present invention is to provide a trocar assembly by which during penetration of abdominal wall, the danger of injury of great vessels of organs is avoided.

The trocar assembly of the present invention includes two fine elongated tunnels (47, 48). An indicator needle (70) and a probe (60) are respectively accommodated in the tunnels (47, 48). When the trocar assembly thrusts through the abdominal wall, the indicator needle (70) and the probe (60) help in judging the thrust extent so as to ensure safety in operation.

As a result, the harm to retroperitoneal great vessels (great arteries) is absolutely avoided. Safety is the key point of the present application.

In the primary reference to Ishikawa, the implements are concentrically fitted through a hole of the trocar. However, the two tunnels as well as the indicator needle and probe of the present invention are not seen in Ishikawa. Moreover, the implements of Ishikawa are not used for safety judgment in thrust. Ishikawa fails to enable an operator to judge the progress of the thrust through the abdominal wall. Therefore, the structure and the object of Ishikawa are different from those of the present invention.

In the secondary reference to Kieturakis, the device simply has a spiral thrust section similar to that of the present invention. However, the other parts of Kieturakis are different from the present invention.

The secondary reference to Hart et al. discloses two septum valves (61, 67) (respectively having a hole) and a cannula (12) communicating with the septum valves. Several elongated implements (48, 49, 50) are fitted through the cannula (12). As shown in Fig. 6 of the third citation, after thrusting through the abdominal wall, the catheter (48) and the retractor (49) are then placed through the trocar into human body, not previously. In addition, the implements are not used for safety judgment in thrust. Therefore, the object and structure of Hart et al. are different from those of the present invention.

The secondary reference to Hueil teaches a woven protector for trocar seal assembly and is cited for teaching holes (76) located on a second housing member (38), a latching ring (64), and an extension clearance (230') and a valve tube extension aperture (242") located in a second housing member base (38b").

The secondary reference to Gresl et al. teaches a trocar assembly and is cited for teaching a T-shaped opening (14) and a slot portion (15) formed in a plate (11).

The secondary reference to Haberland et al. teaches a trocar system and is cited for teaching an auxiliary fluid port (22) located in at least one of a pair of finger support webs (38).

The secondary reference to Stuart teaches a manipulator and is cited for teaching a tool holder. The operation equipment and the structure disclosed by Stuart is different from the bracket of the present invention.

Neither Ishikawa, Kieturakis, Hart et al., Hueil, Gresl et al., Haberland et al., nor Stuart disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious the amended claims.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: February 14, 2008

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